

REMARKS

This is in full and timely response to the Office Action mailed on October 7, 2004. Reexamination in light of the following remarks is respectfully requested.

Claims 2-5 and 9-10 are currently pending in this application, with claims 2, 4, 5, 9 and 10 being independent.

No new matter has been added.

Priority

It is noted with appreciation that the Office Action has acknowledged receipt of the claim for foreign priority and the certified document supporting that claim.

Specification objection

The specification has been amended in the manner suggested. Appreciation is expressed for the Examiner's helpful suggestions. Withdrawal of this objection is respectfully requested.

Rejection under 35 U.S.C. §112

In response to this rejection, the specification has been amended in the manner requested by the Examiner. Appreciation is expressed for the Examiner's suggestions.

Withdrawal of this rejection is respectfully requested.

Allowable subject matter

Appreciation is expressed for the indication that claims 4, 5, 9 and 10 contain allowable subject matter. Accordingly, these claims have been placed into independent form as suggested by the Examiner.

Allowance of the claims is respectfully requested.

Rejections under 35 U.S.C. §102

Claims 1-3 and 6-9 were rejected under 35 U.S.C. §102 as allegedly being anticipated by WO 99/64260 to Hellweg et al.

The Office Action cites corresponding U.S. Patent No. 6,463,974 (Hellweg'974) and has used this reference in the rejection of the claims. This rejection is traversed at least for the following reasons.

While not conceding the propriety of the rejections made within the Office Action and in order to advance the prosecution of the above-identified application, claims 1 and 6-8 have been canceled rendering the rejection of these claims as moot.

Moreover, claim 2 has been amended in the manner suggested by the Examiner. Claim 2 is drawn to a vehicle including a tire/wheel assembly in which a run-flat support member is disposed in a cavity of a pneumatic tire fitted to a rim of a wheel, the run-flat support member including a circular shell, an outer circumferential side of which is a support surface and an inner circumferential side of which is opened to have two leg portions, and left and right elastic rings which support the two leg portions on the rim,

wherein the elastic rings have different rigidities from each other so that the elastic ring receiving a larger load during run-flat traveling has a higher rigidity, and

wherein, among the left and right elastic rings, the elastic ring on an outer side of a vehicle when fitted to the vehicle has a higher rigidity than that of the elastic ring on an inner side of the vehicle.

The Office Action contends that Hellweg'974 teaches the elastic ring receiving a larger load during run-flat traveling has a higher rigidity.

In response to this contention, the Office Action fails to account for the elastic rings of the claimed invention as having different rigidities. In particular, Hellweg'974 arguably teaches the presence of support elements 4 and 5 that appear to include two radially upper material layers 10 and 10' of a plastic material, material layers 11 and 11' and 13 and 13' of a

rubber mixture, the material layers 12 and 12' of a plastic material that has a higher elasticity than the plastic material of the upper layers 10 and 10' (Hellweg'974 at figures 1 and 4, column 9, lines 17-20 and 60-63). Furthermore, Hellweg'974 arguably teaches the presence of support elements 25 and 26 that appear to include the radial upper material layers 27 and 27' of a rubber mixture, the radially lower material layers 30 and 30' of a rubber mixture 8, and the middle or intermediate material layers 31 and 31' of plastic (Hellweg'974 at figures 5 and 6, column 10, lines 8-20). Thus, Hellweg'974 fails to disclose, teach or suggest elastic rings that have different rigidities from each other.

Withdrawal of this rejection and allowance of the claims is respectfully requested.

Conclusion

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of the amendments and remarks is courteously solicited.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753. If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

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Respectfully submitted,

By _____

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